

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and the following remarks are presented for the Examiner's consideration.

Claim 10 was rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner indicated that: "The specification, as originally filed, does not provide support for the limitation of each of said plurality of modules being adapted for snap-locking as is now claimed in claim 10." The Applicant respectfully draws the Examiner's attention page 12, lines 4-9 of the specification as originally filed, which recites:

The extra modules 51 are preferably attached with a snap-on part 43a provided on the modules 51, similar to the hinged part 43 on the folding cover 39, as well as a snapping part 46a similar to snapping part 46 on said folding cover 39 or, if there is a bayonet lock, by being pushed in, turned and locked."

It is believed that at least this passage provides adequate support for the "snap-locking" limitation of claim 10. Therefore, it is respectfully requested that the rejection be withdrawn.

Claim 3 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner indicates that the antecedent basis for the terms "said module" is unclear. Claim 3 has been amended to more clearly specify that "said module" is "said battery compartment module." It is respectfully submitted that the rejection has been rendered moot by the amendment, and withdrawal of the rejection is respectfully requested.

Claims 1, 3 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,144,748 to Kerns. For the following reasons, the rejection is respectfully traversed.

With reference to claim 1, it is respectfully pointed out that Kerns does not teach, suggest, or otherwise rendered obvious “a plurality of modules being releasably mounted to said base part.” Applicant acknowledges that Kerns clearly teaches an auxiliary device (240) connected to a hearing device (210). Nonetheless, claim 1 clearly requires a plurality of modules being mounted to the base part. By contrast, the hearing system taught by Kerns clearly only accommodates a single auxiliary device (240) being connected to the hearing device (210). Nothing in Kerns suggests or otherwise renders obvious modifying the disclosed system to provide a plurality of modules mounted to a base part, as required by claim 1. For at least this reason, it is respectfully submitted that every limitation of claim 1 is not taught, suggested or otherwise rendered obvious by Kerns. Further, since claims 3 and 10 each depend from claim 1, they are also nonobvious for at least the same reason as claim 1. Thus, it is respectfully requested that the rejection be withdrawn.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. TSW-31856US3.

Respectfully submitted,  
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